

Message

From: McDowell, Joseph [McDowell.Joseph@epa.gov]
Sent: 4/30/2019 3:14:39 PM
To: Dietz, Linda [Dietz.Linda@epa.gov]; Epps, John [epps.john@epa.gov]
CC: Root, Charlie [Root.Charlie@epa.gov]
Subject: RE: Phila Inquirer (2-29) Plan to build housing on contaminated Bishop Tube site in Chester County faces major setback

We are reviewing the Final 100% RD. Final bids are due COB today, with a contract award next week? Mobe date of early June? Meeting with DEP and Conservation District tomorrow concerning the status of the NPDES permit.

FA is still outstanding. And O'Neill has not closed on the ISRP loans.

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From: Dietz, Linda
Sent: Tuesday, April 30, 2019 10:16 AM
To: Epps, John <epps.john@epa.gov>; McDowell, Joseph <McDowell.Joseph@epa.gov>
Cc: Root, Charlie <Root.Charlie@epa.gov>
Subject: FW: Phila Inquirer (2-29) Plan to build housing on contaminated Bishop Tube site in Chester County faces major setback

Ex. 5 Deliberative Process (DP)

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From: Seneca, Roy
Sent: Tuesday, April 30, 2019 8:27 AM
To: Dietz, Linda <Dietz.Linda@epa.gov>; Root, Charlie <Root.Charlie@epa.gov>; Brown, Kinshasa <Brown.Kinshasa@epa.gov>; Howell, Amie <Howell.Amie@epa.gov>; Zieba, Kyle <Zieba.Kyle@epa.gov>; White, Terri-A <White.Terri-A@epa.gov>; Sternberg, David <Sternberg.David@epa.gov>
Subject: Phila Inquirer (2-29) Plan to build housing on contaminated Bishop Tube site in Chester County faces major setback

Plan to build housing on contaminated Bishop Tube site in Chester County faces major setback A Pennsylvania environmental board has essentially scrapped two state actions that would have paved the way for developer Brian O'Neill to build housing on a contaminated Chester County site. The ruling on Friday appears to be a major setback for Constitution Drive Partners, a limited partnership involving O'Neill. The company wants to build housing at the defunct Bishop Tube site, contaminated by a variety of hazardous compounds. The Pennsylvania Environmental Hearing Board concluded that amendments to an agreement with the developer stretching back to 2007 and 2010 not only are "arbitrary and capricious," but also "are void." "This is yet another environmental David and Goliath story," said Maya van Rossum, leader of the Delaware Riverkeeper Network. The Delaware Riverkeeper Network filed a legal challenge to the amendments granted by the state Department of Environmental Protection. The amendments would have allowed Constitution Drive Partners to develop the 13.7-acre Bishop Tube site on Malin Road in Frazer, East Whiteland Township, after some cleanup. Bishop Tube was a manufacturing operation that began in the 1950s and left behind hazardous substances, including trichloroethene or TCE, in the process of making stainless steel and other metals into tubes and pipes. The DEP collected evidence that TCE permeated soil and groundwater in the mid-1960s. Monitoring wells have also found levels of fluoride, chromium, and nickel that exceeded standards. Other chemicals have also been detected at the site. The property is listed as a hazardous site under the state's Hazardous Sites Cleanup Act...